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Attorneys for Plaintiff KATHLEEN HANNI.
Individually and on behalf of all others similarly situated

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

KATHLEEN HANNI, individually and on)
behalf of all others similarly situated,)

Plaintiff,)

v.)

AMERICAN AIRLINES, INC.; and DOES 1)
through 20, inclusive,)

Defendants.)

No. C08-00732 CW

**OPPOSITION TO EX PARTE APPLICATION
TO SHORTEN TIME**

Defendant American Airlines, Inc. seeks an order shortening time to have its Motion for Leave to File and Amended Notice of Removal heard. Plaintiff Kathleen Hanni opposes the requests and urges the court, if it is inclined to act on the application, to alter the current briefing schedule in a manner which gives all pending motions time to be adequately briefed.

Defendant contends the shortened time is required to "enable American to fully brief this Court on the relevant facts that confer it jurisdiction over this case." Defendant's Ex

1 Parte Application, page 2, lines 6-8. Plaintiff agrees that the parties interests in fully briefing the
 2 issues before this court presents a compelling basis for the court to intervene to adjust briefing
 3 schedules to accommodate the parties advocacy. Plaintiff does not agree that the such
 4 intervention should be employed solely for the benefit of one party and to the detriment of the
 5 other party. Plaintiff disputes the basis and the propriety of the motion for leave to amend the
 6 notice of removal and intends to file an opposition brief setting forth her position. Shortening
 7 the briefing schedule would effectively deprive plaintiff of her opportunity to fully brief the
 8 issue.

9 There is no urgency which would justify the request to shorten time. The motion
 10 was originally filed on standard notice. The issue raised by the motion for leave to amend, to
 11 the extent it has any relevance, could effectively be raised in the opposition to the motion for
 12 remand. Further, Paul Hudson, counsel for plaintiff who will be preparing the opposition to the
 13 motion for leave to amend the notice of removal, will be out of the country from March 27
 14 through April 7, 2008. Thus, shortening the briefing schedule in the manner suggested by
 15 defendant only creates a burden on plaintiff. On the other hand, retaining the existing briefing
 16 schedule on the motion for leave and moving the hearing on the motion to remand and motion
 17 to dismiss to May 29, 2008, would accomplish defendants goals and not deprive plaintiff an
 18 opportunity to brief the issues.

19 Plaintiff proposes that if the court is inclined to adjust the briefing schedule, that
 20 the motions to remand and dismiss, currently set for April 24, 2008, be rescheduled to May 29,
 21 2008.

22 Dated: March 24, 2008

LAW OFFICES OF DAVID G. RAMOS
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23 By: _____
 24 David G. Ramos

25 Attorneys for Plaintiff KATHLEEN HANNI
 26 Individually and on behalf of all others
 27 Similarly situated
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